IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9455 OF 2005

Aniruddha Sharad Kulkarni ..Petitioner

versus

Chandulal T. Jain & Anr. ..Respondents

Mr. S. M. Railkar for the Petitioner.

CORAM : DR. D.Y.CHANDRACHUD,J.
DATE : 10TH FEBRUARY,2006

P.C. :

. The learned trial Judge has noted that an earlier application for amendment of the written statement came to be allowed. The application was moved in June 2003 and was allowed on 1.10.2004. Evidence of the plaintiff has been concluded. At this stage, repeated applications for the amendment of the pleadings are tactics to prolong the trial of the suit. Interference of the Court at the present stage, is not warranted. However, while dismissing the Petition, it is clarified that it will open to the petitioner to challenge the final judgment and decree of the trial court on all counts including

the refusal to allow the amendment should it become necessary to do so. Subject to the aforesaid, the petition is dismissed.

(DR. D. Y. CHANDRACHUD, J.)